

MINUTES

UTAH BOARD OF NURSING

October 26, 2007

**Room 474 – 4th Floor –8:30 A.M.
Heber Wells Building
Salt Lake City, UT 84111**

CONVENED: 9:00 a.m.

ADJOURNED: 11:35 a.m.

Bureau Manager:
Secretary:

Laura Poe
Shirlene Kimball

Conducting:

Pam Rice

Board Members Present:

Peggy Brown
Diane Forster-Burke
Pam Rice
Marie Partridge
Joel Allred
Laurie Simonsen
Barbara Jeffries
John Killpack
Debra Schilleman

Board Members Excused:

Mary Williams
Susan Kirby

Division Staff:

Connie Call, Discipline Specialist
Irene Gayheart, Investigator

TOPICS FOR DISCUSSION

ADMINISTRATIVE BUSINESS:

September 28, 2007 Minutes:

NEW BUSINESS:

Divided into groups: 9:10

Group 1
Conducting: Marie Partridge
Secretary: Shirlene Kimball

Kent Wilkinson,

DECISIONS AND RECOMMENDATIONS

The minutes were approved with corrections. All Board members in favor.

Members present: Ms. Forster-Burke, Ms. Partridge, Mr. Allred and Mr. Killpack.

Mr. Killpack conducted the interview. Mr. Wilkinson

Annual Interview:

reported things are going well. He is employed at St. Joseph's Villa and likes his job. An employer report was received indicating Mr. Wilkinson had issues with co-workers. Mr. Wilkinson stated he felt like the CNAs were not doing a thorough job and had discussed this with them. He indicated he sat down with the CNAs and the supervisor and have now worked things out. Mr. Wilkinson stated he completed all the coursework required in his Order. However, documentation of completion of one of the courses is missing and he stated he will resend the documentation. He questioned whether or not the Board would consider early termination of probation. Committee members indicated he needs to establish a good track record for period of time before the Board could consider early termination. He has only been on probation for one year, and that is not a sufficient period of time.

Theresa Brewer,
Annual Interview:

Ms. Partridge conducted the interview. Ms. Brewer stated she is doing well. She continues to work at Park Dale Care Center in Price. She stated her Order had been amended so that she could attend four AA meetings per month because there were no PIR meetings available in her area. She questioned whether or not the number of meetings could be reduced to two meetings per month. She stated she has been clean since August 14, 2006. Mr. Allred indicated the one year mark is critical and it would not be in her best interest to decrease the number of meetings she is attending. He suggested she mix up the AA and NA meetings if she does not think the AA meetings are helpful. Ms. Brewer stated she has no thoughts of relapse and has not relapsed. She stated she is not taking any medications not legally prescribed for her. Ms. Brewer is in compliance with the terms and conditions of her Order.

Nora Mitchell, Annual Interview:

Ms. Mitchell did not appear for her interview.

Marsha Byrne,
Annual Interview:

Ms. Byrne stated she is looking for a job, but can not find one because of the restrictions on her license. She stated she is discouraged and asked whether or not the Board would write a letter of support or terminate her probation. Ms. Byrne completed the Ethics Course and the Boundary course. She submitted her paper on

ethical principles as required in her Order. Committee members will recommend to the Total Board early termination of probation.

Amy Stone,
New Order:

Ms. Stone explained the circumstances that brought her before the Board. She stated she has met with Ms. Call and submitted her paperwork to CVI for urine screens. Ms. Stone questioned why the Order does not allow her to drink alcohol. Ms. Stone stated alcohol is legal and she does not understand why it has been restricted. She stated she learned her lesson after she received her DUI and would not drink and drive and would not drink on the job. Mr. Allred explained alcohol is legal, but not for her while on probation. She signed the Order and agreed not to use alcohol. If she does, she will be out of compliance with the terms and conditions of her Order. She stated she completed the alcohol related court probation. Ms. Stone stated she understands the terms and conditions of the probation. She stated she is not taking any medications not lawfully prescribed for her.

Group 2
Conducting: Barbara Jeffries
Secretary: Connie Call

Members present: Ms. Jeffries, Ms. Schilleman, Ms. Simonson, and Ms. Brown.

Desirae Larson,
New Order:

Ms. Schilleman and Ms. Brown conducted the interview. Ms. Larson explained the circumstances that brought her before the Board. She stated she has been clean 40 days. She is currently completing an intensive outpatient program through Dayspring. Once she completes her physical exam and Dayspring her suspension can be terminated and she will be placed on probation. Ms. Larson requested she be allowed to have two prescribing practitioners, the neurologist, Dr. Welker and her primary care physician, Dr. Welch. Committee members will recommend approval to the Total Board.

Terryl Hullinger,
Interview:

Ms. Jeffries conducted the interview. Mr. Hullinger has been out of compliance with the Order numerous times since he was placed on probation. He has met with Ms. Poe and Ms. Call and was requested to meet with the Board because of his recent relapse. Committee members requested he meet with the Board again April 2008.

Michelle Jensen:

Ms. Jensen was sent an indefinite suspension Order and did not meet with the Board.

Todd Gardner,
Annual Interview:

Ms. Rice conducted the interview by telephone. Mr. Gardner indicated he is working at Kolob Care Center. He stated he has been clean 2 ½ years. He stated his stressors are calling CVI daily, his mother's poor health and going to school. He stated he is on criminal probation for a DUI.

Christine Bullock,
Annual Interview:

Ms. Rice conducted the interview. She indicated she is not currently working in nursing. Committee members indicated she needs to keep up-to-date by reading current nursing journals instead of old text books from her nursing program 30 years ago.

Reconvened to Total Board at 10:33 a.m.

Connie Call, Discipline Report:

Report reviewed. A copy of the report is attached to the minutes.

Lori Niven, Request to add an additional
prescribing practitioner:

Ms. Forster-Burke made a Motion to approve the request to add an additional prescribing practitioner; however, she must use only one pharmacy. Ms. Partridge seconded the Motion. All Board members in favor.

Karen Carter, Request for return of access to
controlled substances:

Ms. Carter was placed on probation June 2007 and just recently signed up with CVI for drug testing. Ms. Forster-Burke made a Motion to deny the request due to the limited time on probation and her failure to be compliant with the terms and conditions of her Order. Ms. Brown seconded the Motion. All Board members in favor.

Rocky Fritts, Review of Evaluation to
determine whether to place the license on
probation:

Mr. Fritts' license is currently suspended. The psychosexual evaluation was reviewed. Mr. Killpack made a Motion to terminate suspension and place on probation with the following: he can not work in an area where the primary focus is pediatrics or adolescents; can not work in a mental health setting; supervisor reports needs to address whether or not he/she has observed inappropriate action with children; utilize the evaluation as a starting point in therapy; complete the NCSBN boundary course and if

passes the NCLEX-RN examination, place the same conditions on the RN license. Ms. Schilleman seconded the Motion. Ms. Forster-Burke opposed. All other Board members in favor.

Report from Probation Peer Committee:

Nora Mitchell: Ms. Mitchell did not appear for her interview and she will be sent a non-compliance letter and scheduled to meet with the Board in November.

Marsha Byrne: Ms. Byrne has completed the ethics and boundary courses required and wrote the paper on ethical principles as required in her Order. She has requested early termination of probation and Committee members recommend the probation be terminated. All Board members in favor.

Amy Stone: Committee members indicated they would like to have Ms. Call follow-up with Ms. Stone's supervisor to see if she has seen the Order and signed the supervisor report.

Desirae Larson: Ms. Larson requested her Order be amended to allow for two prescribing practitioners, her neurologist and her primary care provider. Committee members recommended her Order be amended to allow for two prescribing practitioners. All Board members in favor.

Terryl Hullinger: Mr. Hullinger received 8 non compliance letters and relapsed in June. It is recommended he meet with the Board again in April 2008.

Report from Education Committee:

Ms. Forster-Burke reported Education Committee members reviewed the NCLEX quarterly reports. She indicated programs with a pass rate lower than 5% below the national average will be sent a letter asking what remedial steps are being taken to address the low pass rates.

Ms. Forster-Burke also reported the Committee met on October 3, 2007 to review additional information from Stevens Henager College. The program meets minimal standards and the program was allowed to move forward.

Ms. Forster-Burke indicated the site visit to Mountainland ATC was successful. Ms. Brown made a Motion to grant provisional approval for a PN program at Mountainland ATC. Ms. Rice seconded the Motion. All Board members in favor.

An intent to begin a BSN program was received from the University of Southern Nevada. Education Committee members approved the program to move forward with curriculum development and the hiring of faculty members.

Ms. Forster-Burke indicated representatives from Utah Career College met with the Committee to discuss their changes in curriculum, testing, passing requirements, and the implementation timeline to make those changes.

Review 2008 Board meeting schedule:

The Board will meet on the following dates in 2008: January 25; February 22; March 28; April 25; May 30; June 27; July 18; August 22; September 26; October 24; November 21; December 12.

Discussion regarding Proposed Rules:

Ms. Poe reported after the August hearing, there were a number of comments in support of the changes and a number of comments against the changes. She indicated school nurses are divided on the issue. An agreement was made to redraft the rules along the lines of the Colorado rules.

Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.

November 16, 2007
Date Approved

(ss) Diane Forster-Burke
Diane Forster-Burke Chair, Education Committee, Board of Nursing

November 16, 2007
Date Approved

(ss) Laura Poe
Laura Poe, Bureau Manager, Division of Occupational & Professional Licensing